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IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

10  
11 UNITED STATES OF AMERICA,  
12 Plaintiff,  
13 v.  
14 GRAHAM HETTINGER,  
15 Defendant.

CASE NO. 2:21-CR-00215-JAM  
STIPULATION REGARDING EXCLUDABLE  
TIME PERIODS UNDER SPEEDY TRIAL ACT;  
FINDINGS AND ORDER  
DATE: June 28, 2022  
TIME: 9:30 a.m.  
COURT: Hon. John A. Mendez

16  
17 **STIPULATION**

18 Plaintiff United States of America, by and through its counsel of record, and defendant Graham  
19 Hettinger, by and through his counsel of record, hereby stipulate as follows:

20 1. By previous order, this matter was set for status on June 28, 2022.

21 2. By this stipulation, the defendant now moves to continue the status conference until  
22 August 30, 2022, at 9:30 a.m., and to exclude time between June 28, 2022, and August 30, 2022, under  
23 Local Code T4.

24 3. The parties agree and stipulate, and request that the Court find the following:

25 a) The discovery associated with this case includes more than 600 pages of  
26 documents, photographs, investigative reports, and other materials. All of this discovery was  
27 either recently produced directly to counsel or else made available for inspection and copying.

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1           b)       The parties are negotiating a potential resolution to the matter which requires that  
2 they account, among other things, for certain sensitive medical information. Collecting and  
3 understanding this information requires additional time and investigative resources.

4           c)       Counsel for the defendant desires additional time to consult with his client, review  
5 and copy discovery, collect and present information to the government regarding his client's  
6 medical condition, and otherwise prepare for trial.

7           d)       Counsel for the defendant believes that failure to grant the above-requested  
8 continuance would deny him the reasonable time necessary for effective preparation, taking into  
9 account the exercise of due diligence.

10          e)       The government does not object to the continuance.

11          f)       Based on the above-stated findings, the ends of justice served by continuing the  
12 case as requested outweigh the interest of the public and the defendant in a trial within the  
13 original date prescribed by the Speedy Trial Act.

14          g)       For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,  
15 et seq., within which trial must commence, the time period of June 28, 2022, to August 30, 2022,  
16 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4]  
17 because it results from a continuance granted by the Court at the defendant's request on the basis  
18 of the Court's finding that the ends of justice served by taking such action outweigh the best  
19 interest of the public and the defendant in a speedy trial.

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1       4. Nothing in this stipulation and order shall preclude a finding that other provisions of the  
2 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial  
3 must commence.

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5       IT IS SO STIPULATED.

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7       Dated: June 21, 2022

PHILLIP A. TALBERT  
United States Attorney

9       \_\_\_\_\_  
10      /s/ SAM STEFANKI  
11      SAM STEFANKI  
12      Assistant United States Attorney

13       Dated: June 21, 2022

14       \_\_\_\_\_  
15      /s/ PATRICK HANLY  
16      PATRICK HANLY  
17      Counsel for Defendant  
18      GRAHAM HETTINGER

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20       **ORDER**

21       IT IS SO FOUND AND ORDERED this 22<sup>nd</sup> day of June, 2022.

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24      /s/ John A. Mendez  
25      THE HONORABLE JOHN A. MENDEZ  
26      UNITED STATES DISTRICT COURT JUDGE